

PATENT
Attorney Ref. LYN01-002P

UNITED STATES PATENT & TRADEMARK OFFICE
PATENT EXAMINATION BRANCH

In re. Application of:

LYNN, Cathy A.

Application No: 09/846,800

Filed: April, 30, 2001

For Letters Patent on:

SCENTING DEVICE FOR AIR FLOW
APPARATUS

) Examiner: Lawrence, Jr., Frank M
)
) Art Unit: 1724
)
) REQUEST FOR CONTINUED
) EXAMINATION (RCE) (37 C.F.R. § 1.114)

CERTIFICATE OF FACSIMILE TRANSMISSION

) I hereby certify that this paper is being facsimile
) transmitted to the Patent and Trademark Office on
) February 20, 2003, to (703) 872-9311.

) Milord A. Keshishian
) (name of person faxing paper)

(Signature of person faxing paper)

REQUEST FOR CONTINUED EXAMINATION (RCE) (37 C.F.R. § 1.114)

Commissioner for Patents
Box RCE
Washington, D.C. 20231

REQUEST FOR CONTINUED EXAMINATION (RCE) (37 C.F.R. § 1.114)

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. § 1.114, for the above identified application.

NOTE: 37 C.F.R. § 1.114 Request for continued examination

"(a) If prosecution in an application is closed, an applicant may request continued examination of the application by filing a submission and the fee set forth in § 1.17(e) prior to the earliest of:

(1) Payment of the issue fee, unless a petition under § 1.313 is granted;

(2) Abandonment of the application; or

(3) The filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. 141, or the commencement of a civil action under 35 U.S.C. 145 or 146, unless the appeal or civil action is terminated.

(b) Prosecution in an application is closed as used in this section means that the application is under appeal, or that the last Office action is a final action (§ 1.113), a notice of allowance (§ 1.311), or an action that otherwise closes prosecution in the application.

(c) A submission as used in this section includes, but is not limited to, an information disclosure statement, an amendment to the written description, claims, or drawings, new arguments, or new evidence in support of patentability. If reply to an Office action under 35 U.S.C. 132 is outstanding, the submission must meet the reply requirements of § 1.111.

(d) If an applicant timely files a submission and fee set forth in § 1.17(e), the Office will withdraw the finality of any Office action and the submission will be entered and considered. If an applicant files a request for continued examination under this section after appeal, but prior to a decision on the appeal, it will be treated as a request to withdraw the appeal and to reopen prosecution of the application before the examiner. An appeal brief under § 1.192 or a reply brief under § 1.193(b), or related papers, will not be considered a submission under this section."

Continued Prosecution Request Fee \$ 375.00.

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TIME REQUEST IS BEING MADE

2. This request is being submitted (check appropriate item(s) below):

i ☒ Prior to abandonment of the application

ii. ☐ Payment of the issue fee

☐ Prior to payment of issue fee

☐ Issue fee has been paid but a petition under § 1.313 has been granted

iii. ☐ Prior to a decision on appeal to the Board of Patent Appeals & Interferences

☐ A notice is being separately sent to the Board of Patent Appeals & Interferences that this Request for Continued Examination is being filed.

NOTE: If such a notice is not sent to the Board then may refuse to vacate a decision rendered after the filing of the RCE but before recognition by the Office of the RCE request under § 1.114.

iv. ☐ Appeal to the U.S. Court of Appeals of the Federal Circuit under 35 U.S.C. 145

or ☐ Commencement of a civil action under 35 U.S.C. 146

☐ Prior to the filing of such appeal or commencement of civil action

☐ Such appeal or commencement of civil action has been terminated

ENCLOSURES

3. Enclosed herewith is/are:

WARNING: If reply to a final or non-final Office action under 35 U.S.C. 132 is outstanding, the submission must meet the reply requirements of § 1.111. 37 C.F.R. § 1.114(b).

☐ An information disclosure (37 C.F.R. § 1.98)

☐ Form PTO-1449 (PTO/SB/08A and 08B)

☐ An amendment

☐ New arguments

☐ New evidence in support of patentability

☒ Other: Credit Card Payment Form

☒ Continued Prosecution Request Fee \$ 375.00

FEE FOR REQUEST (37 C.F.R. § 1.17(e)).

4. This application is on behalf of:

☒ Small entity (and status is still as small entity)\$ 375.00

☐ Other than a small entity\$ 750.00

FEE FOR CLAIMS

5. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

(a) ☒ No additional fee is required.

OR

(b) ☐ Total additional fee required is \$ _____.

EXTENSION OF TIME

6. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for the total number of months checked below:

Extension for (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 410.00	\$ 205.00
<input checked="" type="checkbox"/> three months	\$ 930.00	\$ 465.00
<input type="checkbox"/> four months	\$ 1,450.00	\$ 725.00

Extension Fee: \$ 465.00

If an additional extension of time is required, please consider this a petition therefor.

☒ An extension for 2 months has already been secured, and the fee paid therefor of \$ 200.00 is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ 265.00

☐ Applicant believes that no extension of time is required. However, this is a conditional petition and authorization to pay the necessary fees to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE(S) DUE

7. The total fee(s) due is/are:

Continued Prosecution Fee (§ 1.17(e)) \$ 375.00

Fee(s) for additional claims (if any) (§ 1.16(b)-(d)) \$ _____

Extension of time fee (if any) (§ 1.17(a)(1)-(4)) \$ 265.00

Total Fee(s) Due \$ 640.00

PAYMENT OF FEE(S) DUE

8. Please pay the fee(s) for this continued examination application as follows:

- ☐ Check is attached for the sum of \$ _____
☐ Charge Account _____ the sum of \$ _____
☒ Charge Credit Card the sum of \$ 640.00
(Credit Card Payment Form (PTO-2038) attached)

Please charge any required additional fee(s) for § 1.17(e), § 1.16(b)-(d) and/or § 1.17(a)(1)-(4) to

- ☐ Account _____
☒ Credit Card (Credit Card Payment Form (PTO-2038) attached).

INVENTORSHIP

NOTE: Any change of inventors must be via the procedure set forth in 37 CFR § 1.48. See Notice of March 10, 2000, 65 Fed Reg 14865, at 14868.

9. This application as amended names as inventors:

☒ the same inventors as previously designated for the claims.

☐ fewer than the inventors previously designated and a statement accompanies this request for the deletion of the name or names of the person or persons who are not inventors of the invention now being claimed.

☐ a person not named previously as an inventor and a petition under 37 C.F.R. § 1.48 is/has separately: ☐ being filed ☐ been filed

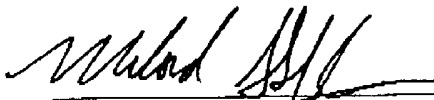
DEFERRAL OF EXAMINATION

10. ☐ A request for deferral of examination accompanies this request for continued examination.

Respectfully submitted,

MILORD & ASSOCIATES, P.C.

Dated: Feb 19, 2003



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